

# STATE PLANNING OFFICE NEWSLETTER

Current News and Updates for Municipal Officials

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## Is it time for a new generation of land use planning in Maine?

### *SPO evaluates Growth Management Act*

*By Sue Inches, Deputy Director*

If the feedback from the recently-ended legislative session is any indication, the answer is a resounding “Yes.” Lawmakers made it abundantly clear that they had heard from constituents who have had difficulty preparing and implementing their comprehensive plans.

Much to the credit of many dedicated people—planners, town planning committees, town officials, citizens and planners at SPO—over 200 towns in Maine now have comprehensive plans that have been found consistent with the state goals laid out in the Growth Management Act. This is a tremendous achievement, and one that is the envy of planners in many other states.

But, despite this success, the need to update how

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land use issues are addressed is urgent. Heavy development pressure along the coast and in southern parts of the state, the exodus of people from service centers to outlying rural areas, and stagnant growth in some other parts of the state are all trends that contribute to the need for more effective land use planning.

At stake is the very character of Maine—Do we want more strip malls and big box stores? Do we want more sprawling housing developments? Do we want to keep jobs in fishing, farming, and forestry? Do we want to keep the cost of building

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## Preserving Maine’s working waterfront

All along Maine’s coast, fishermen need access to the water in order to unload their catch, buy ice and fuel, park their trucks, and access their boats. Maine’s boat yards, boat builders and marinas also need access to the water from the land. Currently, only 25 miles of Maine’s 3500-mile coastline is dedicated to the working waterfront.

Rising property values and taxes are making it increasingly difficult for fishermen, aquaculturists, and other water-dependent businesses to hold on to the property they own and use. As demand for

waterfront property continues to increase, parcel by parcel, working waterfronts are being converted to other uses.

The Maine Coastal Program at SPO has partnered with many public and nonprofit organizations to help preserve traditional access and use of Maine’s coast. SPO’s Jim Connors assists towns, property owners, and land trusts with tools such as easements and grants that can help preserve the working waterfront.

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## Director's Column

*By Martha Freeman*

In Augusta, summer in Maine doesn't really arrive on June 21. It arrives on whatever day (usually night) the Legislature adjourns. This year summer dawned in the early hours of June 18.

It was a session of challenges, mirroring those facing Maine. Cutbacks in federal funding, changes in our economy, and new pressures on land use are affecting the state budget.

The just-passed FY 06-07 budget tightened state government's belt again. The rate of growth for the past two biennial budgets has been 3%, less than the rate of personal income growth in Maine. And this in the face of meeting the state's increasing share of K-12 education funding. The FY 06-07 budget contains over \$2.6 billion of state funding disbursed to municipalities and counties.

Times are tight. The land use practices and pressures driving up property taxes can be ameliorated through implementation of LD 1. But lowering property taxes isn't Maine people's only concern about their relationship to Maine land.

The character of our state and people is bound up

## Legislative Wrap-up

The FY 06-07 state budget enacted by the legislature repealed a plan to borrow \$450 million over two years to pay for programs and operations. The cuts needed to balance the budget go deep. The State Planning Office's budget was reduced by just under \$100,000. We are happy that we have been able to preserve funding for those staff and programs that assist municipalities.

While property tax and budget discussions dominated the 122<sup>nd</sup> Legislature, SPO tracked a number of bills of interest to municipal officials:

**LD 1:** The Legislature directed SPO to collect state, county, and municipal revenue and expenditure

*The budget passed by the Legislature this year cut state spending by more than \$600 million.*

in our ability to stay close to woods and waters, fields and farms. Our economy and communities have depended on Maine's natural resources for centuries.

This summer, the Legislature will return to consider bonds. Land for Maine's Future (LMF) funds are depleted. Governor Baldacci proposed a \$50 million LMF bond as a wise investment in our future economy and communities. Conserved lands are part of Maine's infrastructure. Through LMF, citizens, local land trusts, municipalities, conservation groups, and state agencies have together preserved spectacular resources in all corners of Maine.

All LMF moneys are used for land conservation, not state services. At [www.state.me.us/spo/lmf](http://www.state.me.us/spo/lmf) are descriptions of many LMF projects. Maine needs a new bond to keep rivers, coastlines, mountains, and forests available to all for work and play.

data to assess progress towards our property tax reduction goals. A second bill, LD 900, directs SPO to investigate how municipal and county revenue and spending data is used by the U.S. Census. SPO will report findings and recommendations to the legislature for both bills in early 2006.

**LD 286:** The Legislature directed SPO to review the efficacy of the state's Growth Management Act (see related article).

**LD 299:** This resolve proposes a constitutional amendment that would permit current use valuation of waterfront land used for or that supports commercial fishing activities. The

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## SPO's land use team: meet the staff



Stacy Benjamin assists the Maine communities and regions in the Midcoast. She enthusiastically incorporates geographic information systems technology into her municipal planning work. Stacy has a master's in regional planning from the University of Massachusetts and a BA in biology with a focus on environmental science. Prior to joining SPO, Stacy worked as an environmental consultant with Maine DOT. She is a selectman in the Town of Searsmont and has been a member of the town's Board of Assessors since 1998. Contact: 287-8061 or [stacy.benjamin@maine.gov](mailto:stacy.benjamin@maine.gov)



Ruta Dzenis supports the municipalities served by the Southern Maine Regional Planning Commission. Ruta's 20-year planning background includes community planning, economic development, and waterfront planning and design. Prior to joining SPO, she served as project director of the Erie Canal Harbor waterfront development project in Buffalo. Ruta is an American Planning Association certified planner and holds a master's degree in city and regional planning from Pratt Institute in New York. Contact: 287-2851 or [ruta.dzenis@maine.gov](mailto:ruta.dzenis@maine.gov)



Frank Hample works with towns served by the Androscoggin and Kennebec Valley councils of governments and the non-coastal towns of the Penobscot Valley Council of Governments. Frank started with the Maine Growth Management Program in 1989 when it was part of the Department of Economic and Community Development. Prior to this Frank worked as a planner with the Executive Department's Division of Economic Opportunity and its successor agency, the Division of Community Services. Frank is a member of the Board of Selectmen in the Town of Somerville. Contact: 287-8060 or [frank.hample@maine.gov](mailto:frank.hample@maine.gov)



Matt Nazar is responsible for managing the team and its programs. He also works with towns in the greater Portland area. He is a member of the Maine Downtown Center Advisory Board and staffs the Community Preservation Advisory Committee. His educational background is as a geographer and he has always had a keen interest in the relationship between people and the places they live. Prior to coming to SPO, Matt was a town and regional planner in New Hampshire for seven years where he worked on local planning projects. Matt serves on Readfield's comprehensive planning committee. Contact: 287-4818 or [matthew.nazar@maine.gov](mailto:matthew.nazar@maine.gov)



Paula Thomson assists the towns of northern Maine. She has extensive experience in environmental, public health, and land use planning in Maine having worked at the Maine Rural Water Association, North Kennebec Regional Planning Commission, Southern Kennebec Planning & Development Council, Sebago Technics, Maine Audubon, and Maine Association of Realtors. She has a BA in government with a concentration in environmental science from Colby College. Paula serves on the Board of Appeals in Fayette and is a founding member of the Kennebec Land Trust. Contact: 287-3215 or [paula.thomson@maine.gov](mailto:paula.thomson@maine.gov)

## LIVABLE COMMUNITIES DESIGN GUIDE

SPO's new, award-winning design guide provides practical advice for creating traditional, livable neighborhoods. Traditional neighborhoods contain what's best about our communities, like sidewalks, quiet streets, greenery, opportunities to see neighbors, and proximity to services such as the library or neighborhood store. They are the neighborhoods that many of us grew up in. 40% of new homebuyers are looking for houses in these kinds of neighborhoods. This guide can help community planners, developers, and architects meet the market need. Available on-line: [www.state.me.us/spo/landuse/pubs/](http://www.state.me.us/spo/landuse/pubs/).

## KEEPING MAINE'S BEACHES HEALTHY

The Maine Healthy Beaches program was established to ensure that Maine's saltwater beaches remain safe and clean. The program helps coastal beach communities to perform standardized monitoring of beach water quality, notify the public if health risks are detected, and educate both residents and visitors on what they can do to avoid water-related illness at the beach. The program's posters, brochures, and TV/radio spots can be used to get the word out about keeping our beaches clean. For more information, contact Todd Janeski at 287-1482 or [todd.janeski@maine.gov](mailto:todd.janeski@maine.gov) or visit [www.mainehealthybeaches.org/](http://www.mainehealthybeaches.org/).



*The Maine Healthy Beaches program provides coastal municipalities with public educational materials to help prevent illness.*



*SPO's new manual provides guidelines for designing traditional neighborhoods.*

*Drawing by: Bruce Towl, Dover-Foxcroft*

## HABITAT RESTORATION PARTNERSHIP GRANTS

The Gulf of Maine Council and the National Oceanic and Atmospheric Administration provides funding to help restore lost or damaged habitat along the Gulf's coast and the rivers that feed it. Grants are competitive gulf-wide (from Cape Cod, MA to Cape Sable, Nova Scotia) and can be used to remove or modify dams, enhance fish passages, or restore salt marshes, among other restoration activities. 2006 proposals will be solicited in August. For more information, contact Jon Kachmar at SPO at 287-1913 or [jon.kachmar@maine.gov](mailto:jon.kachmar@maine.gov) or visit [www.gulfofmaine.org/habitatrestoration](http://www.gulfofmaine.org/habitatrestoration).

## HARBOR PLANNING GRANTS AVAILABLE

The State Planning Office is soliciting proposals for grants for harbor planning. \$150,000 is available competitively for harbor planning (to implement recommendations in local comprehensive plans), conducting planning studies for public and working access, planning and designing harbor improvements, and developing management plans for municipal fishing piers, marinas, and water access sites and facilities. Deadline for applications: September 26, 2005. For more information, contact Jim Connors at 287-8938 or [jim.connors@maine.gov](mailto:jim.connors@maine.gov).



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new roads and schools at a reasonable level? Do we want to preserve key lands and waters for recreation and wildlife habitat? These are the kinds of questions that good land use planning tries to address.

This session, the legislature passed a resolve directing SPO to review comprehensive planning and growth management in Maine. To fulfill this resolve, SPO has planned a full schedule of research, data gathering, and analysis through this summer and fall. The goal is to return to the Legislature with solid recommendations for improving land use planning in Maine. Feedback from local officials, the planning community, environmental organizations, state agencies, and many other interested people will be encouraged. The schedule begins with a land use summit planned for August 9–10 at the University of Maine, and ends with draft recommendations that will be available for comment in early winter.

**Comprehensive plans are the tools towns use to govern their growth and ensure that the community's values and priorities are maintained.**

SPO sees the resolve as an opportunity to seek answers to many questions. A few of these are: How could Maine move towards regional planning? How can more plans be enacted and implemented? Are there ways to streamline the planning process? How can state and local interests be better balanced? We hope you will help us answer these and other questions. A complete schedule of the review process will be posted shortly on SPO's website at: [www.maine.gov/spo/landuse](http://www.maine.gov/spo/landuse). For more information, contact Donna Bradstreet at 287-5649 or [donna.bradstreet@maine.gov](mailto:donna.bradstreet@maine.gov).

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*Jim Connors, a natural resources planner at SPO, works on coastal waterfront development issues. He is a licensed forester and is active with the Kennebec Land Trust.*

**Maine Working Waterfront Coalition**

The Working Waterfront Coalition supports strong planning at the community level, encourages investment in Maine's private and public piers, and advocates for innovative policies and partnerships that preserve and enhance working waterfronts. They are an excellent resource for communities facing coastal development issues.

**Maine Coast Protection Initiative**

The Maine Coast Protection Initiative is a collaboration of over 70 land trusts and conservation organizations working to increase the pace and quality of land protection in coastal Maine. A pillar of this initiative is advancing funding to provide grants to local land trusts for waterfront conservation. For more information, visit: [www.protectcoastmaine.org](http://www.protectcoastmaine.org).

For more information, contact Jim Connors at 287-8938 or [jim.connors@maine.gov](mailto:jim.connors@maine.gov) or visit [www.state.me.us/spo/mcp/wwi/index.php](http://www.state.me.us/spo/mcp/wwi/index.php).

*In 2001, Maine's working piers and wharves made it possible for 269 million pounds of seafood to generate \$740 million dollars in economic income.*

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question will be placed before the voters in November.

**LD 472:** The Legislature amended Maine's model building code to include a rehabilitation code for existing buildings. SPO will explore funding options to cover the costs of harmonizing existing laws with the new model codes.

**LD 582:** This bill, which would have required state agencies to comply with local land use ordinances, was defeated. SPO will work with state agencies and local officials to draft procedures to use for state projects in local jurisdictions.

**LD 1128:** The Legislature directed SPO to study the technology, cost, and benefits of creating wireless Internet access throughout rural and urban Maine. SPO's report is due in September 2006.

**LD 1369:** The Intergovernmental Advisory Commission will study municipal unfunded mandates and report back to the Legislature. SPO staffs the IAC.

At this time of this writing, the Legislature had not acted on a bond package for voters' consideration. The Governor's bond proposal contains funding to replenish the Land for Maine's Future program and to support working farms and waterfronts, among others.

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